

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NUMBER: 2:11 CR 16

CHRISTOPHER H. CANNON

Defendant.

MOTION TO CONTINUE TRIAL AND RESET PRETRIAL CONFERENCE

Comes now the defendant, Christopher H. Cannon, by counsel, moves the Court for an Order continuing the trial and resetting the pretrial conference. In support of this motion counsel states:

1. The defendant is charged by way of Indictment filed on January 20, 2011 with knowingly and with the intent to defraud falsely making and passing counterfeit obligations of the United States in violation of 18 U.S.C. § 472.

2. The defendant has been detained since his arrest in April 1, 2011.

3. The trial in this matter is set for June 13, 2011, at 12:30 p.m. The pretrial conference is scheduled for May 26, 2011 at 1:30 p.m. before Magistrate Judge Andrew P. Rodovich.

4. On May 19, 2011, the undersigned counsel filed a pleading entitled "Unopposed Motion for Competency Examination and Hearing to Determine Mental Competency of Defendant (18 U.S.C. § 4241)". At the time of the filing of this motion, the District Court has not ruled on the Motion for Competency Examination and Hearing. In anticipation of the Court granting that motion and since the defendant has

refused to meet with the undersigned counsel as articulated in the above-referenced motion, the undersigned counsel would request that this trial be continued for a period of no less than 90 days to allow for a competency examination by a licensed psychologist or psychiatrist at a suitable facility as determined by the Attorney General.

5. 18 U.S.C. § 3161(a)(1)(A) states that any delay resulting from an examination or proceeding involving the “mental competency” of a defendant will be excluded in computing the time within which a trial must commence.

6. In addition, the ends of justice served by granting this request for a continuance outweigh the best interest of the public and the defendant in a speedy trial.

7. The government, by Assistant United States Attorney Randall M. Stewart, has no objection to this motion.

WHEREFORE, the defendant, Christopher H. Cannon by counsel, moves the Court for an order continuing the trial currently set for June 13, 2011, for a period of no less than ninety (90) days, and resetting the pretrial conference.

Respectfully submitted,

Northern District of Indiana
Federal Community Defenders, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that, on May 20, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Randall M. Stewart
Randall.Stewart@usdoj.gov

and I hereby certify that I have mailed the document by U.S. Postal Service to the following non CM/ECF participants:

s/ Jerome T. Flynn